

**UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF DELAWARE**

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	:
National Starch and Chemical Investment	:
Holding Corporation,	:
Penford Australia Ltd., and	:
Penford Holdings Pty.,	:
	:
Plaintiffs,	:
	:
v.	:
	:
Cargill, Inc. and	:
MGP Ingredients, Inc.	:
Defendants.	:
	:
	:
	-----X

Civil Action No. 04-cv-1443 (GMS)

**STIPULATED ORDER FOR ENTRY OF VOLUNTARY  
DISMISSAL OF ALL CLAIMS, COUNTERCLAIMS,  
AND DEFENSES IN CIVIL ACTION No. 04-cv-1443 (GMS)**

Plaintiffs National Starch and Chemical Investment Holding Corporation, Penford Australia Ltd., and Penford Holdings Pty. (collectively "Plaintiffs") and Defendants Cargill, Inc. and MGP Ingredients, Inc. (collectively "Defendants") jointly request that the Court dismiss with prejudice all claims, counterclaims and defenses arising from Civil Action No. 04-cv-1443.

The intent of the parties is to bring the litigation in the District Court to a final and complete close. Each party will bear its own costs and attorneys fees incurred in this litigation.

SO STIPULATED:

**Counsel for Plaintiffs:**

National Starch and Chemical Investment Holding Corporation, Penford Australia Ltd., and Penford Holdings Pty.

Dated: September 12, 2006

/s/ Monté T. Squire

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Cargill, Inc. and MGP Ingredients, Inc.

Dated: September 12, 2006

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SO ORDERED, this \_\_\_\_ day of \_\_\_\_\_, 2006.

\_\_\_\_\_  
Gregory M. Sleet

United States District Judge